

NOTICE OF INTENT TO APPEAR

The San Joaquin River Exchange Contractors Water Authority plans to participate in the water right hearing regarding (name of party or participant):

CALIFORNIA WATERFIX HEARING

California Department of Water Resources and U.S. Bureau of Reclamation

The Public Hearing scheduled to commence on **Thursday, April 7, 2016**

1) Check all that apply:

- ✓ I/we intend to participate in Part I of the hearing
- ✓ I/we intend to participate in Part II of the hearing

2) Check the applicable boxes below. Be sure to accurately describe your participation in the hearing. (Please refer to Enclosure D of the October 30, 2015 [Notice of Petition, Public Hearing, and Pre-Hearing Conference](#) (Hearing Notice) for descriptions of “parties” and “interested persons”):

- I/we intend to participate in the hearing as an interested person and present a policy statement **only**. Part I Part II
- I/we intend to participate in the hearing as a party by cross-examination and/or rebuttal **only** and may present an opening statement.
 Part I Part II
- ✓ **Part I:** I/we plan to participate in Part I as a party and call the following witnesses to testify at the hearing. (Fill in the following table for Part I of the hearing **only**)

NAME	SUBJECT OF PROPOSED TESTIMONY (Please indicate Application Number if Appropriate)	Estimated Length Of Direct Testimony	Expert Witness (Yes/No)
Steve Chedester, Executive Director, San Joaquin River Exchange Contractors Water Authority	San Joaquin River Exchange Contractors Water Authority's (SJREC) dependence on and use of CVP water available from Delta pumping; SJREC's dependence on Delta levee maintenance and repair obligation of DWR/CVP and coordination of those efforts with local Delta agencies; need for economic viability of coordinated CVP/SWP water delivery South of the Delta through both tunnel and Delta channel deliveries	30 minutes	Yes
Walter Bourez, III MBK Engineers	Review and critique of hydrologic modeling supporting BDCP/California WaterFix Draft EIR/EIS. Hydrology, hydrologic modeling, water supply analysis, adverse effects of the requested changes on legal users of water .	1 hour	Yes
Christopher H. Neudeck, P.E., Kjeldsen, Sinnock Neudeck Engineers, Delta Reclamation Districts	Need for comprehensive agreements between SWP/CVP/local Reclamation Districts, and funding for maintenance, repair and improvement of levees and channels for conveyance and control of water across and through Sacramento/San Joaquin Delta to CVP and SWP pumps to prevent unreasonable salinity impairment of water quality; flow characteristics damaging to fish life	1 hour	Yes
Daniel B. Steiner, Hydrologist – operations of CVP/SWP	See Attachment 1	2 hours	Yes

- ✓ **Part II:** I/we plan to participate in Part II as a party and will call witnesses to testify at the hearing. Please note that you will be required to submit a Supplemental Notice of Intent to Appear at a date to be determined for Part II of the hearing that lists your witnesses, subject of proposed testimony, etc.

3) Check if applicable:

- ✓ I/we have also protested the Petition in accordance with Water Code section 1703.2.

*Note: If have protested the Petition, you must also fill out sections 1 and 2 of this form above and indicate your intent to appear at the hearing to present evidence in support of your protest. If you do not resolve your protest with the petitioners prior to the hearing, and then do not present a case supporting your protest at the hearing, your protest will be dismissed. It is **not** necessary to file a protest to participate in the hearing.*

4) Fill in the following information of the Participant, Party, Attorney, or Other Representative:

PARTY:

Name: Steve Chedester, Executive Director, SJREC
Mailing Address: P.O. Box 2115, Los Banos, CA 93635
Phone Number: (209) 827-8616 Fax (209) 827-9703
E-mail: schedester@sirecwa.net

AUTHORIZED REPRESENTATIVE / ATTORNEY:

Name: Paul R. Minasian / Minasian, Meith, Soares, Sexton & Cooper LLP
Mailing Address: 1681 Bird Street, Oroville, CA 95965
Phone Number: (530) 533-2885 Fax (530) 533-0197
Email: pminasian@minasianlaw.com

Optional:

- I/we **decline** electronic service of hearing-related materials. If you are unable to accept electronic service for any reason, please contact the hearing team by Tuesday, January 5, 2016, at 916-319-0960 or by email at CWFhearing@waterboards.ca.gov.

Signature:  Date: 1/4/16

Attachment 1

Daniel B. Steiner, Hydrologist, may be subpoenaed to testify as to the operations of CVP and SWP, and issues which may arise in the hearing, such as:

1. Potential additional water quantities required to maintain salinity balances and flow conditions in areas of the Delta if levees and channels are not properly maintained and repaired and breaches in those levees occur;
2. Why waste and unreasonable use of water supplies is likely if no proper organization effort exists and is made a condition of granting the Petitions to assure that maintenance and function of the through Delta channel management of flows exists in the future;
3. The experience with the flow standard and salinity standards of Decision 1641 and the dependence on a system of delivery through Delta channels experienced in 2014 and 2015; why treating tunnels as a neutral factor and their use as a safety measure needs to consider heightened or stabilized Delta levee and channel maintenance as integral to the Petition and Plan, based on historical experience;
4. The importance of that experience in highlighting the conditions necessary for a two-delivery system operation of the Delta.
5. If WaterFix diversion facilities are installed and operated, why experience tells us a new, more dependable and well-funded Delta channel delivery system to CVP and SWP pumps must be funded and adequately maintained; why the building and operation of a WaterFix diversion and tunnels does not allow urban suppliers' interests or the water supply system to avoid damaging effects of a failure of Delta channel conveyance and control capacity. Example: The possible consumption of additional water to maintain Delta water quality, less upstream storage, or the alternative of allowing the loss of salinity and flow control? Why the uncertainty regarding flow and salinity standards for the San Joaquin River in future Board actions makes imposing conditions upon the CVP/SWP use of WaterFix facilities in this Petition proceeding which would alter CVP operations of New Melones, Millerton Reservoir, and San Joaquin River flows from historic requirements and patterns as possibly resulting in harm to legal water users.

There are other subjects which Mr. Steiner may by subpoena be called upon to testify which cannot be anticipated at this time because the SWRCB Notice and questions fail to give adequate notice due to the proposed phasing and division of proceedings.

Estimated length of direct testimony: 2 hours

Expert Witness: Yes